

REMARKS

Applicants thank the Examiner for acknowledging consideration of the references in the original Information Disclosure Statement ("IDS") filed May 17, 2002. However, Applicants note that the Examiner has not indicated that the references included in Applicants' Supplemental Information Disclosure Statement filed on May 29, 2002 have been considered. Applicants thus respectfully request that the Examiner similarly acknowledge consideration of the previously submitted Supplemental IDS by initialing each reference on a copy of the IDS and returning the copy to the Applicants' representative.

Overview

The Examiner responded in the prior Office Action as follows: rejected claims 11-29 and 42-55 under 35 U.S.C. § 102(b) as being anticipated by Theimer et al. (U.S. Patent No. 5,611,050). Applicants note that the Examiner has not indicated a grounds for rejection of pending claims 56 and 57, despite those claims being among the Examiner's claim group II in the Restriction Requirement dated September 29, 2004 that was elected by Applicants in their response to the Restriction Requirement. In order to expedite prosecution, Applicants have discussed independent claims 56 and 57 below with respect to the Theimer prior art reference, but request that the Examiner clarify the grounds of rejection of these claims in the next Action if any such rejection is asserted.

Applicants have traversed the Examiner's rejections without amending the claims, and thus claims 11-29 and 42-57 continue to be pending.

Analysis

The Examiner has rejected each of the previously pending claims 11-29 and 42-55 under 35 U.S.C. § 102(b) as being unpatentable over Theimer. However, each of the pending claims as rejected includes features and provides functionality not disclosed by Theimer, and thus is patentable over Theimer and the other cited references.

The rejected claims are generally related to modeling a current state or context by generating values for various attributes of the state, such as may be of use when monitoring and responding to a current state of a user of a wearable computer or other computing device. Furthermore, the rejected claims are generally related to situations in which some state attributes depend on the values of other state attributes, and to providing monitoring to facilitate the generation of the values of such higher-level state attributes – the application provides various examples of such higher-level state attributes, such as to model a current physical activity of a user (*e.g.*, jogging) based on other state attribute information such as physiological data (*e.g.*, heart rate and EKG) and geographic information (*e.g.*, location and speed). However, situations can arise in which circular references or dependencies exist between state attributes that can prevent generation of values for state attributes, such as by causing an endless loop of calculation attempts. As an abstract example, assume that a value of attribute A is based in part on a value of attribute B, that a value of attribute B is based at least in part on a value of attribute C, and that a value of attribute C may be based in part on a value of attribute A – if so, a first source module attempting to generate a value of attribute A may request a value of attribute B, a second source module may respond by attempting to generate a value of attribute B that includes requesting a value of attribute C, a third source module may respond by attempting to generate a value of attribute C that includes requesting a value of attribute A, another source model (whether the first source module or a distinct fourth source module) may respond by attempting to generate a value of attribute A that includes requesting a value of attribute B, etc., with an endless loop potentially being formed. If such a situation can be detected, however, such as when the attribute value requests begin to form a loop, a variety of types of actions may be able to be taken to address and correct the situation, as discussed in the application and the pending claims.

Accordingly, as one example of recited features not disclosed by Theimer, each of the rejected claims generally recites determining if circular references arise during generation of an attribute value, such as by monitoring requests for values of state attributes for use in generating a value of another state attribute. For instance, claim 42 recites, after identifying that a first module is generating a first value of a first attribute of a modeled context, “determining that a circular reference exists when it is determined that a module is to generate another value of the

first context attribute such that the generating of the another value is caused by the generating of the first value of the first context attribute.” Claim 11 similarly recites “determining a client-source able to generate and supply the requested value of the first state attribute by using a value of at least one other state attribute; . . . and during generating of the requested value of the first state attribute by the client-source, monitoring requests from the client-source for values of one or more indicated state attributes needed for the generating of the requested value of the first state attribute; monitoring other requests for values of indicated state attributes needed for generating values of state attributes that are indicated in previously monitored requests; and when it is determined that a state attribute indicated in one of the monitored requests is the first state attribute, indicating a presence of a circular reference during the generating of the requested value of the first state attribute.” Each of the other independent claims 25, 27, 56 and 57 recites similar language.

Conversely, while Theimer generally discusses obtaining values regarding a user’s context, Theimer appears to lack any teaching or suggestion of determining and indicating a circular reference. Moreover, the portions of Theimer cited by the Examiner to correspond to the recited claim language do not support the rejection. In particular, the Examiner points to lines 56-63 of column 10 when asserting that Theimer shows determining and indicating a circular reference. However, this portion of Theimer is shown below, and Applicants can find no teaching or suggestion of determining and indicating a circular reference, or more generally of the idea that circular references may even exist.

The step in box 122 exports the RPC interface for UserAgent 100 so that would-be clients can find this UserAgent process and interact with it. This involves, among other things, registering an RPC address under the UserAgent's name with the Name Service. The step in box 124 registers the UserAgent with the location service and registers callbacks with any services which monitor state changes in which the user is interested. (Theimer, 10:56-63.)

Thus, since Theimer appears to lack any teaching, suggestion or motivation to monitor for and detect circular references during generation of state attribute values, all of the pending claims are patentable over Theimer for at least this reason. Furthermore, the pending dependent

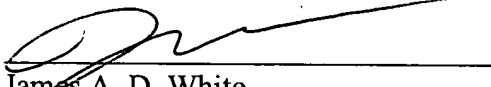
claims recite various additional features that further render those claims patentable over the cited references, but that are not discussed here for the sake of brevity.

Conclusion

In light of the above remarks, Applicants respectfully submit that all of the pending claims are allowable. Applicants therefore respectfully request the Examiner to reconsider this application and timely allow all pending claims. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 694-4815.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

Respectfully submitted,
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